

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER SWALLOW,

No. C 08-02311 JCS

Plaintiff(s),

**CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE**

v.

TOLL BROTHERS, INC.; AND DOES 1 -25,
INCLUSIVE

Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: June 9, 2008


Signature

Counsel for Defendant Toll Brothers, Inc.
(Plaintiff, Defendant or indicate "pro se")

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.:
 COUNTY OF ORANGE)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 1900 Main Street, Fifth Floor, Irvine, California 92614-7321.

On June 11, 2008, I served on interested parties in said action the within:

**CONSENT TO PROCEED BEFORE A UNITED STATES
 MAGISTRATE JUDGE**

by placing a true copy thereof in sealed envelope(s) addressed as stated below.

Kathleen M. Lucas, Esq.
 The Lucas Law Firm
 180 Montgomery Street, Suite 2000
 San Francisco, California 94104

I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 11, 2008, at Irvine, California.

Stephanie Pattis
 (Type or print name)


 (Signature)